Courts and of the Bar. It was at first proposed that criminal punishment should be provided for touts, but as the result of a great deal of discussion the provisions which I have now adopted in the Bill were passed as law. Though I belong to the Bar, I must say with regret that the practice of touting exists to a certain extent in this country also. At any rate it is better to have some provision which might prevent any abuse in that direction.

In regard to the procedure for dealing with the misconduct of Vakils we have no detailed provisions in our law. I have adopted the provisions of the British Indian Act with some modifications.

With these remarks I beg to propose under rule 63 that the Bill be read in Council and its principle affirmed.

Mr. Kuruvila.—Considering the advance made in recent years in legal forms and technicalities and the pressing competition among pleaders in the higher Courts of the country, I agree with my learned friend the Mover in thinking that it is desirable now to reconsider the question of the qualifications, privileges and duties of Vakils, and the standard by which their valuable and faithful services can be valued in cases of disputed and unsettled remuneration. Much of the details will, no doubt, have to be left untouched by the Bill and confided to rules and orders that the discretion of the High Court may decide upon. But I observe that the Bill itself proposes to modify in some important respects the present position not only of Vakils but also of clients and middle men. As, however, my acceptance of the motion now before the Council will not preclude me from raising at a later stage the objections I have to the principles involved in certain sections of the Bill taken individually, I beg to support the motion with this reservation.

Mr. Prince.—I think the principle of the Bill may be affirmed. It is an extremely good Bill. In all civilized countries they have got rules to regulate the conduct of legal practitioners towards the Bench and to their clients. I think the Bill is very necessary. The details may well be left to the Select Committee.

The Council having affirmed the principle of the Bill, Mr. Ramier proposed that it be referred to a Select Committee consisting of Messrs. Rajaram Rao, Thanu Pillai, Prince and the Mover, to report within four months.

Seconded by Mr. Kuruvila.

Carried.

CRIMINAL PROCEDURE CODE AMENDMENT BILL.

Mr. Thanu Pillai.—With the permission of the President, I beg to propose a few verbal amendments :—

In section II of the Bill, insert the following between "section 4" and 'clause *i*'

"'clause *h*' (2) omit the word 'such' before 'proceedings' and add the words 'under this Code' after 'proceedings' and in."

The amendment is purely verbal. Para 1 of clause (*h*) does not contain the word 'proceedings.' Hence reference to 'such proceedings' in the second para is meaningless.

Seconded by Mr. Prince.

Carried.

Mr. Thanu Pillai.—In section VIII of the Bill, omit 'and' before "seventhly" and add the following at the end :—

"and

Eighthly.—Any released convict committing a breach of any rule made under section 434."

This amendment refers to section 35 of the Code which deals with cases in which the Police may arrest without warrant. Section 434 of the Code provides that, in certain cases, old offenders may be directed to give notice of their place of

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residence after their release from jail. Disobedience of such directions is one of the offences for which the British Act empowers the Police to arrest the offender without a warrant. It is obviously necessary that the Police should have this power. Hence this amendment.

Seconded by Mr. Kuruvila.

Carried.

Mr. Thanu Pillai.—In section XLVII of the Bill, substitute the following for the 2nd para :—

"Between paras 2 and 3, insert the following:—The offence punishable under section 405 of the Penal Code may, with the permission of the Court, be compounded by the person by whom the prosecution has been started."

This is purely verbal. We have adopted this amendment already by a number of additions and insertions which render the section inelegant. It is now proposed to embody the amendment in a separate para.

Seconded by Mr. Rajaram Row.

Carried.

Mr. Prince.—I beg to propose a slight verbal amendment in section XXII of the Bill, viz., to insert "the word tree" between "and" and "between" in line 2.

Seconded by Mr. Ramier.

Carried.

Mr. Thanu Pillai.—I beg to propose that the Bill as amended be passed and that it come into force on the 1st day of Makarom 1074, simultaneously with the Penal Code.

The motion was put and agreed to.

The Council adjourned at 4 P. M.

K. KRISHNASWAMY RAO,
President.

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